

ABLE ACT AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill modifies provisions of the Achieving a Better Life Experience Program Act.

Highlighted Provisions:

This bill:

- ▶ directs the Department of Workforce Services to:
 - enter into a contract with a qualified Achieving a Better Life Experience Program (ABLE) to provide Utah residents access to that qualified ABLE program; and
 - administer outreach efforts to inform eligible individuals and parents or legal guardians of eligible individuals about the qualified ABLE program with which the department contracts; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

35A-12-201, as last amended by Laws of Utah 2017, Chapter 222

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **35A-12-201** is amended to read:

35A-12-201. Creation of program.

(1) There is created the state Achieving a Better Life Experience Program.

(2) The department shall ~~[do one of the following]:~~

~~[(a) administer the state Achieving a Better Life Experience Program in compliance~~

~~with:]~~

33 ~~[(i) 26 U.S.C. Sec. 529A; and]~~

34 ~~[(ii) regulations, if any, issued by the United States Department of the Treasury;]~~

35 ~~[(b)]~~ (a) enter into a contract with ~~[a state that maintains]~~ a qualified ABLE program to
36 provide Utah residents access to that ~~[state's]~~ qualified ABLE program; ~~[or]~~ and

37 ~~[(c)]~~ (b) administer outreach efforts to inform eligible individuals and parents or legal
38 guardians of eligible individuals about the qualified ABLE ~~[programs offered by other states to~~
39 ~~which Utah residents may apply]~~ program described in Subsection (2)(a).

40 (3) This chapter may not be interpreted to:

41 (a) authorize or provide a disability-related service to an eligible individual;

42 (b) be a factor in establishing residency; or

43 (c) provide that contributions made into an account are sufficient to cover the qualified
44 disability expenses of an eligible individual.

45 (4) An account is not insured or guaranteed by the state.

46 (5) The state does not guarantee the rate or payment of interest or other return on an
47 account.